



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al.

Title: DNA ENCODING A DNA REPAIR PROTEIN

Docket No.: 800.019US2

Serial No.: 09/837,602

Filed: April 18, 2001

Due Date: N/A

Examiner: Misook Yu

Group Art Unit: 1642

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 2 cited documents.
- A check in the amount of \$180.00 to cover the fee for consideration of Information Disclosure Statement under 1.97(c).
- Declaration Under 27 C.F.R. § 1.132 (1 pg.).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: Janet E. Embretson
Atty: Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of June, 2005.

Name

James Kanyuk

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



S/N 09/837,602

PATENT

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Applicant: John H. Petrini et al. Examiner: Misook Yu
Serial No.: 09/837,602 Group Art Unit: 1642
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Title: DNA ENCODING A DNA REPAIR PROTEIN

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Pursuant to 37 C.F.R. §1.97(e), Applicant states that the Carney, et al. and Varon, et al. documents were first cited in a related matter. A Declaration Under 37 C.F.R. § 1.132, which is to be filed in the related matter is attached hereto.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicant has included the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p). Please charge any additional fees or credit any overpayment to Deposit Account No. 19-0743.

06/17/2005 SSESHE1 00000038 09837602

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The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

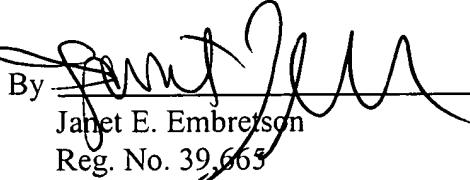
Respectfully submitted,

JOHN H. PETRINI ET AL.

By their Representatives,

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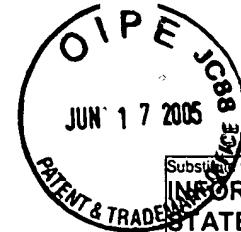
Date JUNE 15, 2005

By 
Janet E. Embretson
Reg. No. 39,665

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Name JAMES KAVUSIK


Signature



PTO/SB/08A(10-01)
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	09/837,602
		Filing Date	April 18, 2001
		First Named Inventor	Petrini, John
		Group Art Unit	1642
		Examiner Name	Yu, Misook
Sheet 1 of 1		Attorney Docket No: 800.019US2	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		CARNEY, J. P., et al., "The hMre11/hRad50 Protein Complex and Nijmegen Breakage Syndrome: Linkage of Double-Strand Break Repair to the Cellular DNA Damage Response", <u>Cell</u> , 93, (May 1, 1998),477-486	
		VARON, R., et al., "Nibrin, a Novel DNA Double-Strand Break Repair Protein, Is Mutated in Nijmegen Breakage Syndrome", <u>Cell Press</u> , 93, (May. 1, 1998),467- 476	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached